

BOARD OF LICENSE COMMISSIONERS

City Hall, 718 Main Street

Fitchburg MA 01420

(978) 345-9557

William A. Judge, Chairman

Robert A. Bourque

David F. Arsenault

MINUTES OF MEETING

The regular meeting of the Board of License Commissioners was held on January 17, 2007, in the Veterans Memorial Room, City Hall, Fitchburg, and called to order by Chairman William Judge at 6:14 PM. Commissioners Robert Bourque and David Arsenault were present.

I. REVIEW AND ACCEPTANCE OF MINUTES FROM THE PREVIOUS MEETING.

The minutes of the regular meeting held on January 3, 2007 were reviewed, approved and signed by Commissioners Judge and Bourque.

II. NEW APPLICATIONS

Café Destare, 320 Main St., for 2AM Late Closing Seven Days per week.

Present were Mr. Christopher Iosua and Mr. Lance Dellagano. Mr. Iosua stated that the rough plumbing and electrical inspections in the building have been conducted by the city, the rough carpentry inspection will be conducted by the architect tomorrow and they plan to open in April. He stated the City Building Commissioner has not yet inspected the premises.

Application for 2AM Late Closing Seven Days per week approved 3-0. The Commissioners requested that Mr. Iosua notify the Board if he anticipates a delay to the April opening.

Karma at Bourbon Street for Entertainment Permit Seven Days per week, DJ's, Live Performance and Dance. Present were Ms. Cynthia Allaire and Mr. Michael Gibeault (Mr. Scott Gibeault's son). Ms. Allaire described the type of events that are planned for the new Bourbon Street.

Application for Entertainment Permit Seven Days per week was approved as amended 3-0..

Amendment: The type of Entertainment approved is as follows: Live jazz bands, piano, live vocals, dance. The approval was granted with the condition that the old Entertainment Permit previously issued for Thursdays, Fridays and Saturdays that included D.J.'s is now null and void.

Fitchburg Royal Plaza, Corp., 150 Royal Plaza Drive for Transfer of All Alcoholic Innholder license to Watermark LLFB, Inc.

Present were Attorney James VanBuren and Salvatore Filetti, Manager.

Application accepted and sent to a Public Hearing on February 21, 2007 3-0.

Oak Hill Country Club, 840 Oak Hill Road for Change of Manager to Francis X. Dufault, III

Present was Mr. Francis X. Dufault.

Application approved 3-0.

Stonehaven, Inc., 350 John Fitch Highway, for One (1) pool table. (A-Z Vending)

Note: This item was inadvertently omitted from the agenda.

Present were Mr. Lawrence Marshall and Mr. Anthony Zekos.

Application approved 3-0.

III. HEARINGS

Judith Durling, 371 Lunenburg St. for Transfer of All Alcoholic Restaurant License and Change of Location to Rome Amico, Inc., 50 Whalon St.

Present were Mr. Andrew Rome and Mr. Wayne Amico.

Discussion ensued regarding the building plans for 50 Whalon St. and whether or not the applicants had presented a letter of intent to the Building Commissioner and received a zoning determination. The applicants stated that they had not presented their building plans to the Building Commissioner.

No one spoke in favor of the application. No one spoke in opposition to the application.

Hearing continued to February 5, 2007 3-0. The applicants were instructed to submit their plans to the Building Commissioner during the interim and bring an update to the continued hearing. Mr. Dan Curley, IDC Executive Director, was present and offered his assistance to the applicants.

IV. SUMMONS HEARINGS

Lynda Byrne for the Finnish Center at Saima Park to discuss Saima Park rental agreements, policies and procedures.

Present were Ms. Lynda Byrne and Ms. Alida Herring from The Finnish Center. They presented examples of rental agreements to the Board. Ms. Byrne stated that, after the September tragedy at The Finnish Center involving a hall rental, the Board reviewed its rental requirements and agreed to the following additional requirements: Police detail is required for parties involving minors; The bar will not be opened if the party is for a person under the age of 21.

Chairman Judge noted that these new requirements were not written in the sample rental agreement presented tonight. Ms. Byrne stated that they will re-write the agreement.

Commissioner Bourque explained to Ms. Byrne and Ms. Herring that, according to MA statute, clubs with a liquor license may only rent the premises to club members and the member must be present during the event. Ms. Byrne and Ms. Herring stated that they were not aware of the statute and will bring the information back to the Board for discussion. She stated that they will also incorporate the changes to the written rental agreements and provide a copy to the License Commission.

Anneliese Curtis, Manager, The Compound to discuss and receive testimony regarding: Fitchburg Police Dept. reports 06-38199-AR, 06-38033-OF, 06-38896-AR, 06-38896-A-AR, ; Alleged violation of ABCC Regulation 204-2.05:Permitting a disturbance on premise.

Present was Ms. Anneliese Curtis and FPD Captain Mark Louney. Captain Louney reiterated the details of the referenced police reports. Upon questioning, Captain Louney stated that The Compound staff were helpful during the incidents.

Upon questioning by members of the Board, Ms. Curtis stated that, at The Compound, the music generally stops and last call is given at 1:30AM; she has 3-5 security people downstairs and 3 upstairs; Tuesday nights are 18+, during which time underage patrons are issued different colored wristbands than of age patrons; she holds underage dances about four times a year when no alcohol is sold.

Discussion ensued regarding security practices and ensuring that underage individuals are not served alcohol.

By vote of 3-0 No Action was taken in regards to the referenced police reports; written policies and procedures regarding security issues, preventing underage drinking, closing time and last call will be brought to the License Commission by Ms. Curtis within two weeks.

V. OTHER

- Taxi driver applications

Approved: Robert Cheries, Cindy Gaudet, Frederick Simmons,

Denied: Charles Sternaimolo, Donald Prichard, Randy Sumner

Held until address is changed on drivers license at RMV: Simone Shorey, Jennifer Chapman

The meeting adjourned at 9:16 PM.

Respectfully submitted,

Anna M. Farrell, Clerk

Approved:

William A. Judge

Robert A. Bourque

David F. Arsenault